

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher J. Wood et al. ) SEA0820P1041US (SC-169 CON)  
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  )  
Serial No.: Not Yet Designated )  
(Continuation of Serial No. 09/715,688) )  
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  )  
Filed: Concurrently Herewith ) Group Art Unit:  
  )  
  )  
For: ELASTOMERIC HINGE FOR A ) Not Yet Designated  
  )  
  )  
  )  
Examiner: Not Yet Designated )

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97, the art identified on the attached form PTO-1449 and other matters discussed below may be helpful to the Patent Office in its examination of the application identified above.

Pursuant to 37 C.F.R. §1.98(d), copies of the documents cited in the following prior application are not enclosed herewith because (1) each such cited document was identified by the applicants in an Information Disclosure Statement or by the Examiner in the following prior application of which priority is claimed pursuant to 35 U.S.C. §120, and (2) the Information Disclosure Statement previously submitted to the Patent and Trademark Office in the following prior application complies with 37 C.F.R. §1.98(a)-(c):

<u>Serial No.</u>	<u>Filing Date</u>	<u>Title</u>	<u>Inventors</u>
09/715,688	November 17, 2000	Elastomeric Hinge For A Closure Lid	Christopher J. Wood, Charles E. Roberts, Milton R. Dallas

Enclosed is a copy of each of the prior application prior art citation listings as initialed or issued by the Examiner in the prior application.

RELATED CO-PENDING APPLICATION

In accordance with 37 C.F.R. §1.97 and §1.98 and MPEP 2001.06(b), attention is directed to the following co-pending commonly assigned application(s) as being of potential interest in the examination of the subject application. Pursuant to 37 C.F.R. §1.98(a)(2)(iii), a copy of each co-pending application is enclosed.

	<u>Serial No.</u>	<u>Filing Date</u>
1.	09/715,688	November 17, 2000

COMMENTS ON CITATIONS

The following comments are directed to the documents disclosed in the accompanying form PTO/SB/08A. Non-English language documents without translation are discussed with a concise explanation pursuant to 37 C.F.R. §1.98(a)(3)(i).

EP 0 590 325 A2 and its corresponding family member DE 42 39 299 have identical drawings. The drawings appear to illustrate a unitary molded closure having molded unitary therewith a hinge, and the material of the closure, including throughout the hinge area, appears to be the same. There does not appear to be any separate elastomeric element which is separately formed, but attached to, the closure body and closure lid.

EP 0 976 663 A1 corresponds to the English language U.S. Patent Publication No. US 2001/0050264 A1. Thus, an English language concise explanation of the EP version is not required.

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The order of listing of the art on the attached Form PTO-1449 should not be construed as an indication of the importance of the listed art.

The Patent and Trademark Office Examiner is requested to review the art and determine the extent of the materiality of the disclosures thereof with respect to the patentability of the subject invention. It is expected that the Patent and Trademark Office Examiner will independently conduct a complete search for relevant prior art.

No inference should be drawn and no representation is made or intended: (a) that a search has been made, or if made, was complete; (b) that the art on the attached list presents a comprehensive investigation of the prior art; or (c) that no more pertinent art than that listed is in existence. [See 37 C.F.R. §1.97(g)]

Citation of any art herein is not to be construed as an admission: (a) that the art disclosure is, or is considered to be, necessarily within the invention field of endeavor, pertinent to the instant invention, or equivalent to the instant invention; (b) that the art disclosure is, or is considered to be, necessarily prior in time to a particular date which may be relevant in the instant patent application; (c) that the art disclosure is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and/or (d) that the art disclosure is otherwise necessarily prior art with respect to the instant invention and application. [See 37 C.F.R. §1.97(g).]

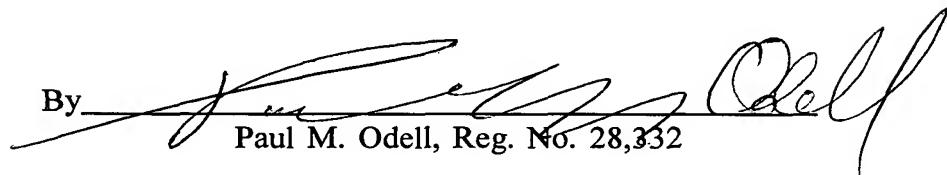
No inference should be drawn that the discussion of any art herein is a discussion of each and every feature disclosed therein.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosures of any document or other art, including the

disclosures of the art cited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Respectfully submitted,

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER

By   
Paul M. Odell, Reg. No. 28,332

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July 21, 2003

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Comparable to Form PTO/SB/08A (10-96)

Approved for use through 10/31/1999. OMB 0651-0031

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<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				Application Number	Not Yet Designated
				Filing Date	Concurrently Herewith
				First Named Inventor	Christopher J. Wood et al.
				Group Art Unit	Not Yet Designated
				Examiner Name	Not Yet Designated
Sheet	1	of	2	Attorney Docket No.	SEA0820P1041US (SC-169 CON)

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		1,928,445		Boyd	09/33	
		3,135,456		Palazzolo	06/64	
		3,167,207		Kruger et al.	01/65	
		3,741,843		Louis	06/73	
		4,403,712		Wiesinger	09/83	
		4,414,705		Ostrowsky	11/1983	
		4,726,091		Joyce	02/88	
		4,964,539		Mueller	10/90	
		5,067,624		Thanisch	11/91	
		5,115,931		Dubach	05/92	
		5,143,234		Lohrmann et al.	09/92	
		5,221,107		Cistone et al.	06/1993	
		5,356,017		Rohr et al.	10/94	
		5,358,151		Strasenburgh	10/1994	
		5,489,035		Fuchs	02/96	
		5,501,348		Takeuchi	03/96	
		5,502,938		Backer	04/96	
		5,531,349		Wojcik et al.	07/96	
		5,620,107		Takeuchi	04/97	
		5,642,824		Hess, III et al.	07/97	
		5,762,216		Takeuchi	06/98	
		5,865,353		Baudin	02/99	
		5,950,848		Baudin	09/99	
		6,041,477		Rentsch et al.	03/2000	
		6,050,434		McNab	04/2000	

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Codes <sup>5</sup> (if known)				
		DE	4239299 A1	A1		03/94		
		DE	UM 1,960,247			02/67		
		EP	0 590 325 A2	A2		04/94		
		EP	976,663		Schorner	02/2000		
		EP	0 631 942 A1	A1		01/95		
			WO 94/20713			09/94		
Examiner Signature						Date Considered		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T <sup>2</sup>	
		Schorner, Hinged container Cap, Pub. No. US 2001/50264 A1, 12/2001						
Examiner Signature						Date Considered		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standards ST.16, if possible.

<sup>6</sup> Applicant is to place a checkmark here if English language Translation is attached.

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Comparable to Form PTO/SB/08A (10-9)

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				First Named Inventor Christopher J. Wood et al.
				Group Art Unit Not Yet Designated
				Examiner Name Not Yet Designated
Sheet	1	of	1	Attorney Docket No. SEA0820P1040US (SC-169)
				JCS 09/715686 U.S. PRO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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U.S. PATENT DOCUMENTS

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		Number	Kind Code <sup>2</sup> (if known)			
W		1,928,445		Boyd	09/33	←
		3,135,456		Palazzolo	06/64	
		3,741,843		Louis	06/73	
		4,403,712		Wiesinger	09/83	
		4,726,091		Joyce	02/88	
		5,067,624		Thanisch	11/91	
		5,115,931		Dubach	05/92	
		5,143,234		Lohrmann et al.	09/92	
		5,356,017		Rohr et al.	10/94	
		5,489,035		Fuchs	02/96	
		5,501,348		Takeuchi	03/96	
		5,531,349		Wojcik et al.	07/96	
		5,620,107		Takeuchi	04/97	
		5,642,824		Hess, III et al.	07/97	
		5,762,216		Takeuchi	06/98	
		5,865,353		Baudin	02/99	
W		5,950,848		Baudin	09/99	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
LM			4239299 A1	DE		03/94		
LM			UM 1,960,247	DE		02/67		
LM			0 590 315 A2	EP		04/94		
LM			0 631 942 A1	EP		01/95		
LM			WO 94/20713			09/94		
Examiner Signature		<i>M. Munir</i>				Date Considered	8/25/101	

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent.

<b>Notice of References Cited</b>		Applicant/Patent Wood et al.	Application/Control No. 09/715,688
		Examiner Lien Ngo	Art Unit 3727

**U.S. PATENT DOCUMENTS**

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Name	Classification <sup>2</sup>	
A	4,964,539	10/1990	MUELLER	222	94
B	6,050,434	4/2000	MCNAB	215	235
C	5,358,151	10/1994	STRASENBURGH	222	420
D	6,041,477	3/2000	RENTSCH ET AL.	16	225
E	5,221,107	6/1993	CISTONE ET AL.	215	235
F	4,414,705	11/1983	OSTROWSKY	16	225
G	5,502,938	4/1996	BACKER	52	281
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**FOREIGN PATENT DOCUMENTS**

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Country	Name	Classification <sup>2</sup>	
N						
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T						

**NON-PATENT DOCUMENTS**

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	
V	
W	
X	

<sup>1</sup> A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a). <sup>2</sup> Dates in MM-YYYY format are publication dates. <sup>2</sup> Classifications may be U.S. or foreign.

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	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Country	Name	Classification <sup>2</sup>
N	EP 976,663	2/2000	EP	SCHORNER	215 237
O					
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Q					
R					
S					
T					

**NON-PATENT DOCUMENTS**

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Schorner, Hinged Container Cap, Pub. No. US 2001/50264 A1, 12/2001.
V	
W	
X	

<sup>1</sup> A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

<sup>1</sup> Dates in MM-YYYY format are publication dates.

<sup>2</sup> Classifications may be U.S. or foreign.

<b>Notice of References Cited</b>		Application/Control No. 09/715,688	Applicant(s)/Patent Under Reexamination WOOD ET AL.	
		Examiner LIEN TM NGO	Art Unit 3727	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-3167207	01-1965	Kruger et al.	220/31
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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